

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED

JUN 13 2017

Clerk, U.S. District Court
Texas Eastern

UNITED STATES OF AMERICA

v.

SUMAIYA ALI

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§

No. 4:17CR

Judge

86

Crane

FACTUAL BASIS

It is hereby stipulated and agreed by the defendant, **Sumaiya Ali**, that the following facts are true and correct and that she understands and agrees, with express consent of her counsel, Charles Swift, that this Factual Basis may be used by the Court to determine whether her plea is voluntary and knowing and by the probation officer and the Court to determine an appropriate sentence for the offenses to which she is pleading guilty:

1. **Sumaiya Ali** is the same person charged in Count One of the Information.
2. The Islamic State of Iraq and al-Sham ("ISIS") is a designated Foreign Terrorist Organization ("FTO") under Section 9 of the Immigration and Nationality Act and as a Specially Designated Global Terrorist under section 1(b) of Executive Order 13224.
3. Between October and December 2014, the defendant's two sons, whose initials are "A.A." and "O.A.," traveled from Egypt to Syria via Turkey to join and fight for ISIS.
4. Prior to her sons' departure from Egypt, the defendant communicated regularly with them regarding their whereabouts and desire to fight for ISIS. For example, on February 21, 2014, the defendant told O.A. to "Do what u need to do." O.A. responded, "[O]k then going to Syria it is." On October 22, 2014, O.A. emailed A.A. and the defendant. The email contained the following statement: "Allah tells the Muslim to fight, kill and exile those who wage war

against Allah or His messenger or cause corruption,' and only makes an exception for those who 'return repenting (accept Islam) BEFORE being apprehended/overtaken.' 5:34."

5. On November 20, 2014, A.A. sent the defendant an email that appeared to be a forward of a travel itinerary. The forwarded email appeared to be from a travel website and was dated November 17, 2014. The body of the forwarded email contained a flight itinerary for A.A. to travel on November 21, 2014, from Cairo, Egypt to Istanbul, Turkey. As A.A. and O.A. travelled from Istanbul to the Turkish border with Syria, they communicated their progress to the defendant.

6. After her sons arrived in Syria and joined ISIS, the defendant continued to communicate with them about their whereabouts and efforts for ISIS. For example, on March 16 and March 17, 2015, O.A. told the defendant that he was trying to transfer to an "English speaking battalion." O.A. said the battalion was not difficult to get into but, "They [meaning ISIS] made it forbidden to change the state you're stationed in."

7. On May 5, 2015, members of the Federal Bureau of Investigation ("FBI") interviewed the defendant. The investigators advised the defendant of the nature of the interview and explained that it was a crime to provide a false statement to the FBI.

8. During the interview, the defendant falsely stated that A.A. and O.A. had traveled to no other countries since moving to Egypt and provided information regarding their occupations in Egypt. The agents informed the defendant that they suspected her sons had traveled to Syria, to which she asserted that they had not left Cairo. When asked if her sons had associated with any groups such as ISIS, the defendant insisted that they had not associated with any groups. The defendant told the agents that her sons are very reserved and had not made friends in Egypt. The defendant stated she knew what ISIS referred to because it was "all over

T.V.” The defendant insisted that her sons would never be involved with ISIS or any other group.

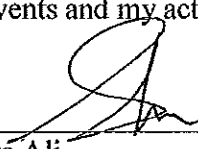
9. The defendant’s statements regarding her son’s whereabouts and connections to ISIS were false, fictitious, and fraudulent. The statements and representations were material to the FBI’s investigations of the defendant’s sons, which is a matter within the jurisdiction of the executive branch of the United States government. The defendant acted willfully and knowingly.

DEFENDANT’S SIGNATURE AND ACKNOWLEDGMENT

I have read this Factual Basis and the Information or have had them read to me and have discussed them with my attorney. I fully understand the contents of this Factual Basis and agree without reservation that it accurately describes the events and my acts.

Dated:

5/11/17

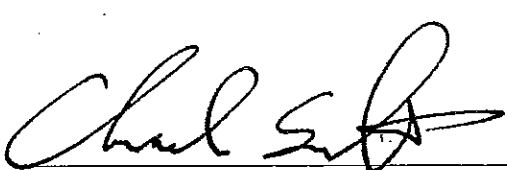

Sumaiya Ali
Defendant

DEFENSE COUNSEL’S SIGNATURE AND ACKNOWLEDGMENT

I have read this Factual Basis and the Information and have reviewed them with my client. Based upon my discussions with my client, I am satisfied that she understands the Factual Basis as well as the Information, and is knowingly and voluntarily agreeing to these stipulated facts.

Dated:

5/11/17


Charles Swift
Attorney for Defendant